

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan Fairchild
Jeremy Ferguson

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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.
Noe ROMAN PARADA

Case: 2:21-mj-30548
Assigned To : Unassigned
Case No. Assign. Date : 11/18/2021
Description: CMP USA v. ROMAN
PARADA (SO)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 5th, 2021 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 8, United States Code, Section 1326(a)	Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about November 5th, 2021, at or near Detroit, Michigan, in the Eastern District of Michigan, Southern Division, Noe ROMAN PARADA, an alien from Mexico was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about April 11th, 2008 at or near Hidalgo, Texas and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: November 18, 2021

City and state: Detroit, MI


Complainant's signature
Jeremy J. Ferguson, officer
Printed name and title


Judge's signature
Jonathan J.C. Grey, United States Magistrate Judge
Printed name and title

AFFIDAVIT


I, Jeremy J. Ferguson, being duly deposed and sworn states:

1. I am an Enforcement Officer with the United States Department of Homeland Security (DHS), Customs and Border Protection (CBP). I have been employed with the same for eighteen years. During my career as a law enforcement officer, I have been involved in various investigations and arrests concerning the re-entry of removed aliens and I have received training in this area.
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all the information collected during my investigation.
3. The defendant, Noe ROMAN PARADA is a thirty-six-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date, without being admitted, inspected, or paroled into the United States by an immigration officer.
4. On or about March 14, 2008, an Immigration Judge in Lumpkin, Georgia ordered ROMAN PARADA removed from the United States pursuant to Section 212(a)(6)(A)(i) of the Immigration and Nationality Act (INA), as amended, in that he was an alien present in the United States without admission or parole. On or about April 11th, 2008, ROMAN PARADA was removed to Mexico via the Hidalgo, Texas Port of Entry by Immigration and Customs Enforcement (ICE).
5. On or about April 10th, 2009, ROMAN PARADA was encountered by ICE at the Oklahoma County Jail in Oklahoma City, Oklahoma where he was being held on stolen vehicle charges. ICE reinstated the previous removal order against ROMAN PARADA on or about April 14th, 2009, pursuant to Section 241(a)(5) of the INA. On or about April 21st, 2009, he was removed to Mexico via the Del Rio, Texas International Bridge Port of Entry by ICE.

6. On or about August 26th, 2009, ROMAN PARADA was apprehended by U.S. Border Patrol (BP) at or near Encinal, Texas. BP reinstated the previous removal order against him on the same date. On or about August 27th, 2009, ROMAN PARADA was removed to Mexico via the Laredo, Texas Port of Entry.
7. On or about March 15th, 2019, ROMAN PARADA was encountered by ICE at the Bay County Jail in Panama City, Florida after he had been arrested for a traffic violation. ICE determined that he had again unlawfully entered the United States and reinstated the previous removal order against him on or about March 17th, 2019. On or about April 4th, 2019, he was removed to Mexico via the Miami, Florida Port of Entry by ICE.
8. On November 5th, 2021, at the Fort Street Cargo Facility Port of Entry, in Detroit, Michigan, ROMAN PARADA was encountered by CBP officers after he entered the facility from Detroit. He stated that he made a wrong turn and had no intention of traveling to Canada. He stated that he traveled from his home in Ohio and was on his way to the Mexican Consulate in Detroit. He was referred to the secondary office where he was interviewed further. In Secondary he told Officer E. Boyd that he is a Mexican citizen with no status in the United States and that he entered the United States without inspection.
9. Officer E. Boyd queried ROMAN PARADA through the Enforce Alien Removal Module (EARM), an immigration database maintained by the Department of Homeland Security (DHS) which contains information about non-citizens who are removed from the United States and found him to be a match to Alien File XXX XXX 271, as well as the aforementioned removals. Officer Boyd found no record of ROMAN PARADA being lawfully admitted to the United States.
10. ROMAN PARADA's fingerprints were queried through the Integrated Automated Fingerprint Identification System (IAFIS) and the Automated Fingerprint Identification System (IDENT) which resulted in matches to FBI number: XXXXX5VC3 and Fingerprint Identification Number (FIN) XXXX529 which correspond to the aforementioned arrests, detentions, and removals from the United States.

11. Officer Boyd initiated processing the necessary documentation to reinstate the previous order of removal against ROMAN PARADA pursuant to Section 241(a)(5) of the INA, as amended. ROMAN PARADA was detained by DHS pending execution of the reinstatement.
12. On November 7th, 2021 I queried ROMAN PARADA through the Central Index System (CIS) and Computer Linked Application and Information Management System (CLAIMS). These databases are maintained by DHS and contain information relating to applications for immigration benefits and/or relief. Review of the records for ROMAN PARADA and queries in U.S. Department of Homeland Security databases confirm that no record exists of him obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal on April 11th, 2008.
13. I queried ROMAN PARADA through the Consular Consolidated Database (CCD), a database maintained by the Department of State which contains passport and visa applications and records. I found that on or about April 11th, 2015 he applied for a United States visitor visa at the United States Consulate in Merida, Mexico. On the application ROMAN PARADA indicated that he had never been to the United States and that he had never been arrested. His application was denied because of his previous unlawful presence in the United States.
14. The aforementioned arrest (or apprehension) (and subsequent detention) was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
15. Based on the foregoing, there is probable cause to believe that, on or about November 5th, 2021, at or near Detroit, Michigan, in the Eastern District of Michigan, Southern Division, Noe ROMAN PARADA, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about April 11th, 2008 at or near Hidalgo, Texas and not having obtained the express consent of the Attorney General of the United States

or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).


Jeremy J. Ferguson
Enforcement Officer
U.S. Customs and Border Protection

Sworn to before me and signed in
my presence and/or by reliable
electronic means this 18th day of November,
2021.


Jonathan J.C. Grey
United States Magistrate Judge